

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

MARCUS THORNTON, *et al.*,  
Plaintiffs,

v.

ANTONY J. BLINKEN, in his official  
capacity as Secretary of the U.S. Department  
of State and in his individual capacity, *et al.*,  
Defendants.

Civil Action No. 1:23-cv-0266-PTG-IDD

**INDIVIDUAL CAPACITY DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' INDIVIDUAL CAPACITY CLAIMS**

Defendants Antony J. Blinken, Marcia S. Bernicat, and Carol Perez, in their individual capacities (“Individual Capacity Defendants”), by and through their undersigned counsel, respectfully move this Court, pursuant to Rule 12 of the Federal Rules of Civil Procedure and the Local Rules, to dismiss Plaintiffs’ individual capacity claims against them in the Second Amended Class Complaint, ECF No. 41, with prejudice. This motion is based on the accompanying Memorandum in Support and any oral argument the Court may allow.

WHEREFORE the Individual Capacity Defendants respectfully request that the Court grant the instant motion and dismiss Plaintiffs’ individual claims against them with prejudice.

Dated: September 20, 2023

Respectfully submitted,

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